

Message Text

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64

ACTION IO-14

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TO AMEMBASSY DAMASCUS

INFO SECSTATE WASHDC 5336

C O N F I D E N T I A L USUN 3092

E.O 11652: GDS

TAGS : UN, RQ, SY

SUBJECT: PUERTO RICO IN UN COMMITTEE OF 24: SYRIAN POSITION

REF: DAMASCUS 1886

1. COMMITTEE OF 24 EXPECTED TO TAKE UP PUERTO RICAN ISSUE IN TWO WEEKS FOLLOWING ISSUANCE OF RAPPOREUR'S REPORT.
2. AMB. SCHAUFEL'S JUNE 28 LETTER TO COMMITTEE RAPPOREUR POUCHED TO DAMACUS AUG2. TEXT OF LETTER FOLLOWS:

QUOTE

DEAR MR ARTEAGA:

I REFER TO YOU LETTER OF MARCH 22, 1974 TO
AMBASSADOR SCALI, REQUESTING THE VIEWS OF THE
UNITED STATES GOVERNMENT WITH RESPECT TO THE
RESOLUTION RELATING TO PUERTO RICO ADOPTED BY THE
SPECIAL COMMITTEE ON AUGUST 30, 1973.

THE VIEWS OF MY GOVERNMENT ON THIS MATTER HAVE BEEN
MADE KNOWN TO THE SPECIAL COMMITTEE ON SEVERAL PREVIOUS
OCCASIONS, MOST NOTABLY IN AMBASSADOR BUSH'S LETTER
OF FEBRUARY 28, 1972 (CIRCULATED AS DOCUMENT A/8723
(PART I) CHAPTER I, ANNEX IV A) AND AMBASSADOR PHILLIPS'
LETTER OF AUGUST 18, 1972 (CIRCULATED AS DOCUMENT
A/8723 (PART I) CHAPTER I, ANNEX IV B). IN SUM, THE
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FACTUAL SITUATION IS THAT PUERTO RICO, WHICH THE

UNITED STATES VOLUNTARILY ACKNOWLEDGED AS A NON-SELF-GOVERNING TERRITORY UNDER THE PURVIEW OF CHAPTER XI OF THE UNITED NATIONS CHARTER IN A LETTER TO THE SECRETARY GENERAL OF THE UNITED NATIONS ON AUGUST 19, 1946, EFFECTIVELY EXERCISED ITS RIGHT TO SELF-DETERMINATION IN 1952. THE PEOPLE OF PUERTO RICO HAVE ATTAINED SELF-GOVERNMENT BY FREELY AND FULLY PARTICIPATING IN THE ESTABLISHMENT OF A COMMONWEALTH OF PUERTO RICO FREELY ASSOCIATED WITH THE UNITED STATES. THE CONSTITUTION OF THE COMMONWEALTH OF PUERTO RICO FREELY ASSOCIATED WITH THE UNITED STATES. THE CONSTITUTION OF THAT COMMONWEALTH WAS ADOPTED BY THE PEOPLE OF PUERTO RICO IN A REFERENDUM ON MARCH 3, 1952. PUERTO RICO'S ATTAINMENT OF SELF-GOVERNMENT WAS RECOGNIZED BY THE 8TH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY IN 1953 WHEN IT ADOPTED RESOLUTION 748. OPERATIVE PARAGRAPH 5 OF RESOLUTION 748 "RECOGNIZES THAT, IN THE FRAMEWORK OF THEIR CONSTITUTION AND OF THE COMPACT AGREED UPON WITH THE UNITED STATES OF AMERICA, THE PEOPLE OF THE COMMONWEALTH OF PUERTO RICO HAVE BEEN INVESTED WITH ATTRIBUTES OF POLITICAL SOVEREIGNTY WHICH CLEARLY IDENTIFY THE STATUS OF SELF-GOVERNMENT ATTAINED BY THE PUERTO RICAN PEOPLE AS THAT OF AN AUTONOMOUS POLITICAL ENTITY"; OPERATIVE PARAGRAPH 6 "CONSIDERS THAT, DUE TO THESE CIRCUMSTANCES, THE DECLARATION REGARDING NON-SELF-GOVERNING TERRITORIES AND THE PROVISIONS ESTABLISHED UNDER IT IN CHAPTER XI OF THE CHARTER CAN NO LONGER BE APPLIED TO THE COMMONWEALTH OF PUERTO RICO"; AND OPERATIVE PARAGRAPH 8 "CONSIDERS IT APPROPRIATE THAT THE TRANSMISSION OF THIS INFORMATION SHOULD CEASE."

BY REJECTING A PROPOSAL TO INCLUDE PUERTO RICO ON ITS AGENDA, THE GENERAL ASSEMBLY AT ITS 26TH SESSION IN 1971 IN EFFECT REAFFIRMED ITS PREVIOUS DECISION THAT PUERTO RICO IS SELF-GOVERNING.

AS REGARDS THE QUESTION OF THE INCLUSION OF A GIVEN TERRITORY ON OR EXCLUSION FROM THE AGENDA OF THE COMMITTEE, YOU MAY WISH TO RECALL THE OPINION REQUESTED OF THE UNITED NATIONS OFFICE OF LEGAL AFFAIRS BY THE COMMITTEE ITSELF, AS REFLECTED IN THE RECORD OF THE SPECIAL COMMITTEE'S MEETING
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OF NOVEMBER 4, 1968 (DOCUMENT A/AC.109/SR.647). THIS OPINION AFFIRMS, INTER ALIA: "THE FOREGOING RECORDS HAVE THEREFORE CLEARLY ESTABLISHED THE PRACTICE THAT THE ADDITION OF A TERRITORY TO THE LIST OF TERRITORIES TO WHICH THE DECLARATION APPLIES SUBJECT TO THE APPROVAL OF THE GENERAL ASSEMBLY BEFORE THAT TERRITORY CAN BE EXAMINED BY THE SPECIAL COMMITTEE". THE OPINION CONCLUDES: "IT FOLLOWS THEREFORE THAT THE SPECIAL COMMITTEE CAN EXAMINE

CONDITIONS IN A TERRITORY ONLY AFTER THE ASSEMBLY HAS APPROVED THE INCLUSION OF THAT TERRITORY IN THE LIST OF TERRITORIES TO WHICH THE DECLARATION IS APPLICABLE." IN VIEW OF THE FOREGOING LEGAL OPINION, IT IS EVIDENT THAT NO MATTERS OF SUBSTANCE RELATING TO PUERTO RICO CAN PROPERLY BE DISCUSSED BY THE COMMITTEE AT THIS TIME.

NOTWITHSTANDING THE FOREGOING AND FOR THE ENLIGHTENMENT OF INDIVIDUAL MEMBERS OF THE COMMITTEE WHO MAY NOT BE FAMILIAR WITH POLITICAL DEVELOPMENTS IN PUERTO RICO DURING THE LAST 20 YEARS, MY DELEGATION WOULD LIKE TO BRING TO THE ATTENTION OF THE COMMITTEE THE FOLLOWING KEY FACT: IN GENERAL ELECTIONS IN 1956, 1960, 1964, 1968 AND 1972, AS WELL AS IN A 1967 REFERENDUM ON STATUS, THE PEOPLE OF PUERTO RICO HAVE FREELY CHOSEN TO RETAIN THEIR PRESENT RELATIONSHIP WITH THE UNITED STATES.

THE FUTURE OF PUERTO RICO WILL CONTINUE TO BE SHAPED BY THE WILL OF THE MAJORITY OF THE PUERTO RICAN PEOPLE AS EXPRESSED IN POLITICAL OPINION ARE FREE TO PARTICIPATE.

BEARING IN MIND THE RELEVANT PROVISIONS OF THE CHARTER, AS WELL AS THE VARIOUS RELATED RESOLUTIONS OF THE UNITED NATIONS, AND IN VIEW OF THE FOREGOING, I AM CONFIDENT THAT THE MEMBERS OF THE SPECIAL COMMITTEE CERTAINLY WOULD NOT WISH TO PROCEED TO ADOPTING A DECISION ON PUERTO RICO WHICH IS CONTRARY TO THE DECISIONS WHICH THE PUERTO RICAN PEOPLE THEMSELVES HAVE TAKEN ON THE BASIS OF UNIVERSAL ADULT SUFFRAGE. SINCERELY,
WILLIAM E. SCHAUFELLE, JR.
AMBASSADOR UNQTE
BENNETT

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